

## Mutual Aid and Outside Agency Assistance

### 327.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

### 327.2 MUTUAL AID AGREEMENTS

The Department may, at the discretion of the Chief of Police, enter into a mutual aid agreement with a law enforcement agency of a physically adjacent state. An agreement may authorize the following (Wis. Stat. § 175.46):

- (a) Law enforcement officers from another agency may act with some or all of the arrest and other police authority of an officer of this department (Wis. Stat. § 175.46(2)).
- (b) Law enforcement officers from another agency may only enforce those laws or make arrests for violations that are similar to the types of laws that he/she is authorized to enforce violations for which he/she is authorized to make in his/her home jurisdiction (Wis. Stat. § 175.46(4)).

Any mutual aid agreement shall be written and may be on an individual case-by-case basis or may be a continuing agreement until terminated by either agency. At least 30 days prior to entering into a mutual aid agreement, this department shall submit a copy of the proposed agreement to the Wisconsin Department of Justice (WisDOJ) for review and comment. It is not necessary to have the consent of WisDOJ to enter into a mutual aid agreement. This department may revise the proposed agreement without having to resubmit the proposed agreement to WisDOJ (Wis. Stat. § 175.46(3); Wis. Stat. § 175.46(8)).

[See attachment: Mutual Aid Agreement-WASHCO.pdf](#)

[See attachment: Mutual Aid Agreement-SCSO.pdf](#)

### 327.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Sergeant's office or an on-duty supervisor for approval. In some instances, a memorandum of understanding (MOU) or other established protocol may exist that eliminates the need for approval of individual requests (Wis. Stat. § 66.0313; Wis. Stat. § 175.46).

When another law enforcement agency requests assistance from this department, the Sergeant may authorize, if available, an appropriate number of personnel to assist.

Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance; however, they shall notify a supervisor of their activity as soon as practicable.

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Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

#### 327.3.1 OUTSIDE AGENCY LAW ENFORCEMENT AUTHORITY

An officer outside of this jurisdiction may arrest a person or provide aid or assistance anywhere in this state if (Wis. Stat. § 175.40(6)(a)):

- (a) The officer is on duty and on official business.
- (b) The officer is taking action he/she is authorized to take under the same circumstances in this jurisdiction.
- (c) The officer is responding to:
  - 1. An emergency situation that poses a significant threat to life or bodily harm.
  - 2. Acts that the officer believes, on reasonable grounds, constitute a felony.

#### 327.3.2 COUNTY-WIDE LAW ENFORCEMENT AUTHORITY

Officers may arrest a person anywhere within the local county provided that the officer (Wis. Stat. § 175.40(5)(d)):

- (a) Completes investigations and documentation as otherwise required by this department.
- (b) Makes arrests for crimes, either observed or not observed, and completes documentation as otherwise required by this department.
- (c) Notifies and cooperates with the agency having jurisdiction over the area of such an investigation and arrest.

#### 327.3.3 INITIATED ACTIVITY

Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Hudson Police Department should notify the local law enforcement agency of the county or municipality where the violation occurs, cooperate with that agency as necessary, and notify his/her supervisor or the Sergeant and the Dispatch Center as soon as reasonably practicable (Wis. Stat. § 175.40(6)(d)). This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

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#### **327.4 REQUESTING OUTSIDE ASSISTANCE**

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

#### **327.5 CRITICAL INCIDENT MUTUAL AID**

State, regional or county agencies may be summoned to assist and coordinate emergency services such as natural disasters, civil unrest, large crime scenes or accidents and hazardous or chemical spills. The Incident Commander, in cooperation with other agencies, is charged with making an immediate appraisal of the situation and its potential. Responders should:

- Establish scene management and control.
- Detect the presence of dangerous conditions or hazardous materials.
- Begin identification of dangerous conditions or hazardous materials (may use the most current Emergency Response Guidebook published by the U.S. Department of Transportation).
- Isolate the incident and identify zones of danger and activity.
- Contain the incident without risking unnecessary exposure.
- Perform firefighting, rescue, emergency medical and other critical life-saving response activities in accordance with the City Emergency Operations Plan.
- Begin evacuation or direct in-place sheltering.
- Consider personal protection/decontamination.
- Contact the local Wisconsin state dispatch center and request support if it occurs on any federal, state or county highway located outside of this department's jurisdiction.
- Seek additional resources if the event exceeds, or is expected to exceed, the capability of local resources, including mutual aid and state or federal assistance. When requesting local, state or federal assistance, this department should clarify whether it is requesting assistance only or complete scene management.

#### **327.6 MANDATORY SHARING**

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Administration Lieutenant or the authorized designee.

The documentation should include:

- (a) The conditions relative to sharing.

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- (b) The training requirements for:
  - 1. The use of the supplies and equipment.
  - 2. The members training in the use of the supplies and equipment.
- (c) Copies of the documentation should be provided to the Dispatch Center and the Lieutenant or his designee to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Training Officer should maintain documentation that the appropriate members have received the required training.

## **Attachments**

## **Mutual Aid Agreement-WASHCO.pdf**

**MUTUAL AID/JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE  
CITY OF HUDSON, WISCONSIN POLICE DEPARTMENT AND THE  
WASHINGTON COUNTY, MINNESOTA SHERIFF'S OFFICE**

WASHINGTON COUNTY
Contract # 19372
SHERIFF'S OFFICE
ADMIN
2011-2014

This agreement supersedes any previous agreement between the parties for mutual aid/joint exercise of powers.

WHEREAS, St. Croix County, Wisconsin and Washington County, Minnesota are recognized as "border counties" of a "physically adjacent state," as defined by Wisconsin Statutes § 175.46(1)(a) and § 175.46(1)(d); and

WHEREAS, the Hudson Police Department and the Washington County Sheriff's Office are "law enforcement agencies" as defined by Wisconsin Statute § 175.46 and Minnesota Statutes § 626.84; and

WHEREAS, both law enforcement agencies must manage threats to public health and safety including, but not limited to, natural or man-made disasters; and

WHEREAS, neither of the agencies possesses all of the necessary resources to cope with every possible law enforcement emergency or disaster by itself and an effective and efficient response can be better achieved by the application and leveraging of the collective resources of both agencies; and

WHEREAS, it is desirable that each of the agencies should voluntarily aid and assist the other in the event that an emergency situation occurs to the extent they determine they are reasonably able to do so; and

WHEREAS, it is necessary and desirable that a mutual aid/joint exercise of powers agreement be executed for the performance of such assistance;

THEREFORE, as authorized in Wisconsin Statutes § 175.46 and Minnesota Statutes § 471.59 that each Hudson Police Department and the Washington County Minnesota Sheriff's Office do hereby grant peace officers authority to each duly sworn or licensed peace officer of the other law enforcement agency under the following terms and conditions:

1. When requested by the Hudson Police Department peace officers of the Washington County Sheriff's Office may act with all the arrest and peace officer authority of a peace officer of the Hudson Police Department while within boundaries of the City of Hudson.
2. When requested by the Washington County Sheriff's Office peace officers of the Hudson Police Department may act with all of the arrest and other peace officer authority of a peace officer of the Washington County Sheriff's Office while within the boundaries of Washington County.
3. Any peace officer acting under this agreement is considered to be acting in the ordinary course of his or her employment with his or her employing agency.
4. Any peace officer acting under this agreement shall continue to be covered by his or her employing agency for the purpose of worker's compensation, unemployment insurance, disability and any other employee benefits, and for civil liability for the defense and

indemnification of employees as established by the statutes, law and policies and procedures of the officer's employing agency.

5. Any peace officer acting under this agreement is immune from liability or protected by limits on liability to the same extent as any peace officer of the other agency and as provided for by the statutes and laws of Wisconsin and Minnesota.
6. No peace officer acting under this agreement is considered for liability purpose an employee of the other agency or an agent of the other state or any other law enforcement agency of the other state for his or her actions regardless of the supervision or control over the officer's actions or activities.
7. Each peace officer acting under this agreement will, as soon as reasonably practical notify his or her employing agency that he or she is acting under this agreement and of the officer's presence in the jurisdiction of the other party to this agreement.

This agreement will remain in effect until such time as one or both of the law enforcement agencies to this agreement declares in writing that this agreement is terminated.

**CITY OF HUDSON, WISCONSIN POLICE DEPARTMENT**

By: [Signature]  
Martin D. Jensen  
City of Hudson Police Chief

Date: 10/3/11

By: [Signature]  
Devon Willi  
City of Hudson City Administrator

Date: 10/3/11

By: [Signature]  
Alan Burchill  
City of Hudson Mayor

Date: 10/3/11

Approved as to form:

[Signature]  
Attorney

**WASHINGTON COUNTY, MINNESOTA SHERIFF'S OFFICE**

By: [Signature] Date: 11/6/12  
William M. Hutton  
Washington County Sheriff

By: [Signature] Date: 11/2/11  
James R. Schug  
County Administrator

Approved as to form:  
[Signature]  
Richard Hodsdon  
Assistant Washington County Attorney

By: [Signature] Date: 11/8/11  
Gary Kriesel, Chair  
Board of Commissioners



## **Mutual Aid Agreement-SCSO.pdf**

OFFICE OF SHERIFF  
ST. CROIX COUNTY, WISCONSIN

1101 Carmichael Road  
P.O. Box 286  
Hudson, WI 54016

Sheriff's Dept.  
715-386-8251  
715-381-4320  
612-436-5440  
FAX 715-386-4606

Ralph E. Bader  
Sheriff

Jail  
715-386-4753  
FAX 715-381-4402

AGREEMENT BETWEEN ST. CROIX COUNTY SHERIFF'S DEPARTMENT AND HUDSON POLICE DEPARTMENT

RE: JURISDICTION AT ST. CROIX COUNTY GOVERNMENT CENTER AND  
ON SURROUNDING ST. CROIX COUNTY PROPERTY.

SHERIFF WILL BE RESPONSIBLE FOR:

- (1) All Court Room Security
- (2) All interior Government Center Security such as disorderly or disruptive persons, and including bomb threats.
- (3) Security in the Jail Lobby; unless no Deputy is in the immediate area; then Hudson P.D. Will respond.  
(Jailors and Jail Security Officers are not authorized to leave the jail proper to handle problems in the lobby)

HUDSON POLICE DEPARTMENT WILL BE RESPONSIBLE FOR:

- (1) Investigating thefts in and break-ins to the Government Center Buildings
- (2) Investigating complaints on the exterior grounds of the Government Center, such as traffic accidents, vandalism, thefts from vehicles, disorderly persons, etc.

In all cases mutual aid between Departments will be available if necessary.

Dated this 6 day of <sup>Sept</sup> ~~August~~, 1994.

  
Ralph E. Bader, St. Croix County Sheriff

Dated this 6 day of <sup>Sept</sup> ~~August~~, 1994.

  
Richard Tremé, Chief of Police--Hudson